



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
Hearings Division

DECISION

JOSHUA SANTIS - NACMIAS LAW FIRM PLLC 592 PACIFIC STREET NEW YORK, NY 11217	Summons No: 000851485K et al. (1 Summons) DEPT OF ENVIRONMENTAL PROTECTION, -against- UNION BEER DISTRIBUTORS LLC Hearing Date: 07/28/2025 Hearing Location: Remote Type of Hearing: By Telephone
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Total Penalty Amount: **\$600.00**

Community Service(Hr): **Not Applicable**

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
000851485K	Sustained	05/23/2024	221 EAST BROADWAY Manhattan

LINE ITEM	OATH CODE	CODE SECTION/RULE	RESULT	PENALTY
1	BA1F	24 -163	Sustained	\$600.00

Findings of Fact & Conclusions of Law

Joshua Santis, attorney, appeared on behalf of the Respondent, Union Beer Distributors LLC, and John McLaughlin appeared on behalf of the Petitioner, DEP, at a remote hearing held on 7/28/2025.

Respondent was charged with idling a truck with NY license plate #55539ND for more than three (3) minutes at 221 East Broadway, Manhattan in violation of AC 24-163. The summons cites this as a second violation as found in Summons # 000782327Z and third violation as found in Summons # 0007846521L.

AC 24-163 provides that:

No person shall cause or permit the engine of a motor vehicle, other than a legally authorized emergency motor vehicle, to idle longer than three minutes...unless the engine is used to operate a loading, unloading, or processing device.

Mr. McLaughlin submitted a video (viewed by all), photographs of the side of the vehicle with company name, rear license plate, proof regarding the second and third violations, and Idling Complaint. (Ex 1).

Mr. Santis did not challenge the second and third violations and denied the current violation with no rebuttal.

I credit Petitioner's sworn statement and evidence and find they establish a violation of the cited section of law, and a second and third violation. I find that Respondent did not establish a defense or rebuttal to the charge.

Accordingly, I find Respondent in violation of the cited section of law as a third violation and impose the mandatory penalty.



07/31/2025

07/31/2025

Janet Gawthrop, Hearing Officer

Date